

**United States Bankruptcy Court
Eastern District of Pennsylvania**

In re:	Case No. 23-13237-pmm
Tri-State Paper, Inc.,	Chapter 11
Debtor.	
Tri-State Paper, Inc.,	Adversary No.
Plaintiff,	
v.	
Delaware River Waterfront Corporation,	
Defendant.	

Complaint for Turnover of Property to the Estate Pursuant to 11 U.S.C. § 542

AND NOW, Plaintiff Tri-State Paper, Inc., by and through its undersigned counsel, alleges the following upon information and belief:

Parties

1. Plaintiff Tri-State Paper, Inc. is the debtor in the above chapter 11 bankruptcy case and a corporation who is and was at all relevant times domiciled in the state of Pennsylvania.
2. Defendant Delaware River Waterfront Corporation is and was at all relevant times a corporation with a principal place of business located at 121 N. Columbus Blvd, Philadelphia, PA 19106.

Jurisdiction and Venue

3. This Court has jurisdiction pursuant to 28 U.S.C. §§ 157 and 1334.
4. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(E).
5. The Plaintiff has standing to bring this action pursuant to 11 U.S.C. § 542 and Fed. R. Bankr. P. 7001(1).
6. Venue is proper pursuant to 28 U.S.C. § 1409(a).

7. The Plaintiff consents to the entry of a final order or judgment by the court if it is determined that the court, absent consent of the parties, cannot enter a final order or judgment consistent with U. S. Const. art. III.

Statement of Claim

8. The preceding paragraphs of this Complaint are incorporated by reference as if set forth at length herein.

9. Beginning on April 28, 2023, and continuing through August 10, 2023, the Plaintiff shipped various goods to the Defendant in exchange for the Defendant's payment for such goods.

10. The Plaintiff has sent invoices and statements for the amounts due and demanded payment thereof, but the Defendant has failed and refused to pay.

11. The balance due to the Plaintiff by the Defendant is \$10,587.46 as of October 27, 2023. A statement of the Defendant's account is attached as Exhibit A.

12. When the Plaintiff declared bankruptcy on October 27, 2023, the balance due became property of the Plaintiff's bankruptcy estate.

13. The Plaintiff demands turnover of the balance due pursuant to 11 U.S.C. § 542.

Request for Relief

NOW, THEREFORE, the Plaintiff requests entry of judgment against the Defendant in the amount of \$10,587.46 plus attorney fees and costs, and for such other and further relief in its favor as may be necessary and proper under the law.

Date: January 29, 2024

CIBIK LAW, P.C.
Counsel for Plaintiff
Tri-State Paper, Inc.

By: /s/ Michael I. Assad
Michael I. Assad (#330937)
1500 Walnut Street, Suite 900
Philadelphia, PA 19102
215-735-1060
mail@cibiklaw.com